

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RICHARD SOUTH and LAURA N.  
SOUTH, husband and wife,

Plaintiffs,

v.

SPOKANE TRANSIT  
AUTHORITY and  
AMALGAMATED TRANSIT  
UNION LOCAL NO. 1015,

Defendants.

NO. CV-05-0066-RHW

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

Before the Court is Plaintiff's Notice of Dismissal Without Prejudice (Ct. Rec. 17).

Accordingly, **IT IS HEREBY ORDERED**

1. The above-captioned case is **DISMISSED** without prejudice.

2. Defendant Spokane Transit Authority's Motion to Dismiss for Lack of Subject Matter Jurisdiction (Ct. Rec. 6) is **DENIED** as moot.

3. Defendant Amalgamated Transit Union 1015's Motion for Dismissal of All Claims for Lack of Subject Matter Jurisdiction (Ct. Rec. 11) is **DENIED** as moot.

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1       **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
2 Order, forward copies to counsel, and close the file.

3       **DATED** this 13<sup>th</sup> day of January, 2006.

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5                               s/Robert H. Whaley  
6                               ROBERT H. WHALEY  
7                               Chief United States District Judge  
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